

# UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

Chaunte Ott

## EXHIBIT AND WITNESS LIST

V.

City of Milwaukee, et al.

Case Number: 09-C-0870

PRESIDING JUDGE Hon. Rudolph T. Randa					PLAINTIFF'S ATTORNEY Jon Loevy	DEFENDANT'S ATTORNEY Jan Smokowicz
TRIAL/HEARING DATE (S) March 23, 2015					COURT REPORTER	COURTROOM DEPUTY
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
1					DNA Report Dated August 31, 1995 for Lab Case No. R95-3074 Regarding Corrected Reports of Laboratory Findings	
2					DNA Report Dated September 16, 2009 for Lab Case R95-3074 Regarding Jessica Payne	
3					DNA Report Case Log Entry Dated May 23, 2003 for Lab Case R95-3074 Regarding Jessica Payne	
4					DNA Report Dated September 27, 1995 for Lab Case No. R95-3074 Regarding Jessica Payne	
5					DNA Report Dated November 2, 1995 for Lab Case No. R95-3074 Regarding Jessica Payne	
6					DNA Report Dated May 22, 2003 for Lab Case No. R95-3074 Regarding Jessica Payne	
7					DNA Report Dated September 25, 2002 for Lab Case No. R95-3074 Regarding Jessica Payne	
8					DNA Report Dated June 5, 2003 for Lab Case No. R95-3074 Regarding Jessica Payne	
9					DNA Report Dated August 31, 1995 for Lab Case No. R95-2307 Regarding Tanya Miller	
10					DNA Report Dated September 15, 2009 for Lab Case No. R95-2307 Regarding Tanya Miller	
11					DNA Report Dated June 2, 2009 for Lab Case No. R95-2307 Regarding Tanya Miller	
12					DNA Report Dated July 5, 2007 for Lab Case No. R07-1497 Regarding Outhreaun Stokes	
13					DNA Report Dated May 19, 2009 for Lab Case No. R07-1497 Regarding Outhreaun Stokes	
14					DNA Report Dated May 18, 2009 for Lab Case No. R07-1497 Regarding Outhreaun Stokes	
15					DNA Report Dated June 1, 2010 for Lab Case No. R07-1497 Regarding Outhreaun Stokes	
16					DNA Report Dated July 14, 2010 for Lab Case No. R07-1497 Regarding Outhreaun Stokes	
17					DNA Report Dated September 11, 2009 for Lab Case No. R07-1497 Regarding Outhreaun Stokes	
18					DNA Report Dated September 15, 2009 for Lab Case No. R95-2306 Regarding Debra Harris	
19					DNA Report Dated June 2, 2009 for Lab Case No. R95-2306 Regarding Debra Harris	
20					DNA Report Dated May 20, 2003 for Lab Case No. R97-2200 Regarding Joyce Mims	
21					DNA Report Dated May 21, 2003 for Lab Case No. R97-2200 Regarding Joyce Mims	
22					DNA Report Dated September 15, 2009 for Lab Case No. R97-2200 Regarding Joyce Mims	

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

**EXHIBIT AND WITNESS LIST – CONTINUATION**

Chaunte Ott vs. City of Milwaukee, et al.					CASE NO. 09-C-0870
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
23					DNA Report Dated February 26, 2011 for Lab Case No. R97-2200 Regarding Joyce Mims
24					Case Log Dated March 31, 2003 for Lab Case R97-2200 Regarding Joyce Mims
25					Case Log Dated May 23, 2003 for Lab Case R97-2200 Regarding Joyce Mims
26					DNA Report Dated September 14, 2009 for Lab Case No. R92-4122 Regarding Irene Smith
27					DNA Report Dated September 15, 2009 for Lab Case No. R94-3204 Regarding Carron Denise Kilpatrick
28					DNA Report Dated September 8, 2009 for Lab Case No. R94-3204 Regarding Carron Denise Kilpatrick
29					DNA Report Dated September 16, 2009 for Lab Case No. R95-1488 Regarding Florence McCormick
30					DNA Report Dated March 11, 2011 for Lab Case No. R95-1488 Regarding Florence McCormick
31					DNA Report Dated June 1, 2009 for Lab Case No. R95-1488 Regarding Florence McCormick
32					DNA Report Dated September 21, 2009 for Lab Case No. R95-2305 Regarding Sheila Farrior
33					DNA Report Dated June 29, 2009 for Lab Case No. R95-2305 Regarding Sheila Farrior
34					DNA Report Dated May 11, 2010 for Lab Case No. R98-1017 Regarding Maryetta Griffin
35					DNA Report Dated June 16, 2010 for Lab Case No. R98-1017 Regarding Maryetta Griffin
36					Police Report By Detective Eric Moore Dated January 9, 1996 Regarding Proposal for Submission of Evidence to FBI Lab for DNA Analysis
37					Photo of Walter Ellis
38					State of Wisconsin Claims Board Decision Dated May 14, 2010
39					Wisconsin State Crime Laboratory File for Case R97-2200 (Joyce Mims)
40					Wisconsin State Crime Laboratory File for Case R95-3073 (Jessica Payne)
41					Wisconsin State Crime Laboratory File for Case R94-3809 (Debra Maniece)
42					Wisconsin State Crime Laboratory File for Case R95-3148 (Jacqueline Jones)
43					Wisconsin State Crime Laboratory File for Case R98-1017 (Maryetta Griffin)
44					Wisconsin State Crime Laboratory File for Case R92-4122 (Irene Smith)
45					Wisconsin State Crime Laboratory File for Case R94-3204 (Carron Kilpatrick)
46					Wisconsin State Crime Laboratory File for Case R95-2307 (Tonya Miller)
47					Wisconsin State Crime Laboratory File for Case R97-4181 (Shameika Carter)
48					Wisconsin State Crime Laboratory File for Case R94-3357 (Ophelia Preston)
49					Wisconsin State Crime Laboratory File for Case R95-1488 (Florence McCormick)

**EXHIBIT AND WITNESS LIST – CONTINUATION**

Chaunte Ott vs. City of Milwaukee, et al.					CASE NO. 09-C-0870
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
50					Wisconsin State Crime Laboratory File for Case R93-4045 (Mary Lee Harris)
51					Wisconsin State Crime Laboratory File for Case R95-2036 (Debra Harris)
52					Wisconsin State Crime Laboratory File for Case R95-1497 (Ouitreaun Stokes)
53					Wisconsin State Crime Laboratory File for Case R95-2035 (Sheila Farrior)
54					Memorandum from Wisconsin State Crime Lab to Milwaukee Police Department Dated April 28, 2009 Regarding DNA Database Hits
55					Memorandum from Wisconsin State Crime Lab to Milwaukee Police Department Dated April 28, 2009 Regarding DNA Database Hits
56					Memorandum from Wisconsin State Crime Lab to Milwaukee Police Department Dated May 8, 2009 Regarding DNA Database Hits
57					Memorandum from Wisconsin State Crime Lab to Milwaukee Police Department Dated May 18, 2009 Regarding DNA Database Hits
58					Memorandum from Wisconsin State Crime Lab to Milwaukee Police Department Dated October 26, 2009 Regarding DNA Database Hits
59					Letter from ADA Mark Williams to Wisconsin Regional Crime Lab Dated May 15, 2002 Regarding DNA Results for Jessica Payne
60					Letter from Wisconsin State Crime Lab to Chief Arthur Jones Dated July 17, 2003 Regarding Corrected DNA Report for Lab Case No. R95-3074 Dated June 5, 2003
61					Correspondence Between John Pray and ADA Mark Williams Regarding DNA Testing
62					Letter from VICAP to MPD Dated January 13, 1995 Regarding Crime Analysis Report
63					Timeline of Events: DNA Matches in Homicide Cases
64					Addenda to Cold Case Press Conference Dated September 7, 2009 Regarding DNA Linked Cold Case Homicides 1986-2009
65					Affidavit of Deanna Lankford Dated March 28, 2013
66					Affidavit of Mark Williams Dated July 26, 2012
67					Affidavit of Daniel Haase Dated April 4, 2013
68					Affidavit of Lew Wasserman Dated September 28, 2012
69					Affidavits of John Pray Dated October 2, 2007 and October 16, 2008
70					Expert Report of Michael J. Spierer, Ph.D.
71					Expert Report and CV of Dennis Waller Dated March 28, 2013
72					MPD M-File for Jessica Payne Homicide Investigation
73					MPD M-File for Joyce Mims Homicide Investigation
74					MPD M-File for Debra Maniece Homicide Investigation
75					MPD M-File for Jacqueline Jones Homicide Investigation
76					MPD M-File for Maryetta Griffin Homicide Investigation

**EXHIBIT AND WITNESS LIST – CONTINUATION**

Chaunte Ott vs. City of Milwaukee, et al.					CASE NO. 09-C-0870
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
77					MPD M-File for Irene Smith Homicide Investigation
78					MPD M-File for Carron Kilpatrick Homicide Investigation
79					MPD M-File for Tonya Miller Homicide Investigation
80					MPD M-File for Shameika Carter Homicide Investigation
81					MPD M-File for Ophelia Preston Homicide Investigation
82					MPD M-File for Florence McCormick Homicide Investigation
83					MPD M-File for Mary Lee Harris Homicide Investigation
84					MPD M-File for Debra Harris Homicide Investigation
85					MPD M-File for Ouithreaun Stokes Homicide Investigation
86					MPD M-File for Sheila Farrior Homicide Investigation
87					Chaunte Ott Arrest Report Dated October 25, 1995
88					Chaunte Ott Statement to Milwaukee Police Department on October 25, 1995
89					Richard Gwin Arrest Report and Statement Dated October 24, 1995
90					Sam Hadaway Arrest Report and Statement Dated October 25, 1995
91					Sam Hadaway Polygraph Exam and Miranda Rights Forms Dated November 1, 1995
92					Police Report Regarding Sam Hadaway Polygraph Examination on November 1, 1995
93					Sam Hadaway Statement Dated October 25, 1995
94					Sam Hadaway Statement Dated October 27, 1995
95					Arrest Report and Statement of Fabian Reyes Dated April 16, 2003
96					Clearance Report Regarding Richard Gwin, Sam Hadaway, and Chaunte Ott Dated October 26, 1995
97					Clearance Report Regarding Sam Hadaway Dated October 26, 1995
98					Police Report Regarding Interview with Sylvester Scott on June 9, 1995
99					Supplementary Report Regarding Interview with Charlene Williams on June 28, 1995
100					Supplementary Report Regarding Interview with Cornell Westmoreland on September 19, 1995
101					Supplementary Report Regarding Interview with George Jones on November 24, 1997
102					Supplementary Report Regarding Interview with George Jones on November 25, 1997
103					Supplementary Report Regarding Interview with George Jones on January 21, 1998

**EXHIBIT AND WITNESS LIST – CONTINUATION**

Chaunte Ott vs. City of Milwaukee, et al.					CASE NO. 09-C-0870
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
104					Supplementary Report Regarding Interview with Jessica McBride on January 5, 1998
105					Supplementary Report Dated April 18, 2003 Regarding Joyce Mims Investigation
106					Supplementary Report Dated June 20, 1997 Regarding Joyce Mims Investigation
107					Supplementary Report Dated June 23, 1997 Regarding Joyce Mims Investigation
108					Supplementary Report Dated June 20, 1997 Regarding Joyce Mims Investigation
109					Supplementary Report Dated June 30, 1997 Regarding Joyce Mims Investigation
110					Supplementary Report Regarding Joyce Mims Autopsy on June 21, 1997
111					Supplementary Report Regarding Re-Interview of Latonia Cooper on October 8, 1995
112					Supplementary Report Regarding Re-Interview of Sam Hadaway on June 27, 2007
113					Supplementary Report Regarding Interview with Cassandra McMurray on October 9, 1995
114					Supplementary Report Regarding Interview with Booker Edwards on October 24, 1995
115					Supplementary Report Regarding Interview with Faye Camp on September 20, 1995
116					Supplementary Report Regarding Interview with Gwendolyn Mayone on September 28, 1995
117					Supplementary Report Regarding Interview with Inetha Waller on September 27, 1995
118					Supplementary Report Regarding Interview with John Riser on October 4, 1995
119					Supplementary Report Regarding Interview with Latonia Cooper on August 31, 1995
120					Supplementary Report Regarding Interview with Latonia Cooper on October 8, 1995
121					Supplementary Report Regarding Interview with Latonia Cooper on September 9, 1995
122					Supplementary Report Regarding Interview with Rhonda Smith on September 29, 1995
123					Supplementary Report Regarding Interview with Richard Gwin on October 24, 1995
124					Supplementary Report Regarding Interview with Richard Gwin on October 24, 1995
125					Supplementary Report Regarding Interview with Richard Gwin on October 25, 1995
126					Supplementary Report Regarding Interview with Richard Gwin on October 26, 1995
127					Supplementary Report Regarding Interview with Sam Hadaway on December 24, 1995
128					Supplementary Report Regarding Interview with Sam Hadaway on November 1, 1995
129					Supplementary Report Regarding Interview with Sam Hadaway on October 24, 1995
130					Supplementary Report Regarding Interview with Sam Hadaway on October 27, 1995

**EXHIBIT AND WITNESS LIST – CONTINUATION**

Chaunte Ott vs. City of Milwaukee, et al.					CASE NO. 09-C-0870
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
131					Supplementary Report Regarding Interview with Sam Hadaway on October 27, 1995
132					Supplementary Report Regarding Interview with Sandra Giles on August 31, 1995
133					Supplementary Report Regarding Interview with Sandra Giles on August 31, 1995
134					Supplementary Report Regarding Interview with Sandra Giles on August 31, 1995
135					Supplementary Report Regarding Interview with Sandra Giles on October 2, 1995
136					Supplementary Report Regarding Interview with Sandra Giles on September 12, 1995
137					Supplementary Report Regarding Interview with Tammy Manka on October 9, 1995
138					Supplementary Report Regarding Interview with Teresa Gwin on October 20, 1995
139					Supplementary Report Regarding Interview with Terrance Wallace on September 3, 1995
140					Supplementary Report Regarding Interview with Theresa Gwin and Angelique Brown on October 24, 1995
141					Supplementary Report Regarding Interview with Willie Brooks on August 31, 1995
142					Supplementary Report Regarding Subpoena Duces Tecum to Ameritech Phone Company on October 27, 1995
143					Supplementary Report Regarding Chaunte Ott DNA Collection on October 26, 1995
144					Supplementary Report Regarding Interview with Chaunte Ott on October 26, 1995
145					Police Report Regarding Interview with Titus Lee Ricks on November 14, 1995
146					Supplementary Report Regarding Interview with Exie Tatum on November 13, 1995
147					Supplementary Report Regarding Re-Interview with Booker Edwards on January 24, 2009
148					Supplementary Report Regarding Re-Interview with Sam Hadaway on June 27, 2007
149					Supplementary Report Regarding Re-Interview with Sam Hadaway on November 24, 2008
150					Supplementary Report Regarding Interview with Denise Winters on August 10, 1995
151					Milwaukee Police Departmental Memorandum Dated April 22, 2004 Regarding Cold Case Investigation M2991 (Victim Debra Maniece)
152					Police Report Dated October 4, 2005 Regarding Request for Assistance from the FBI's National Center for the Analysis of Violent Crimes
153					Walter Ellis Criminal History
154					Walter Ellis Criminal Complaint Dated September 10, 2009
155					Defendant Buschmann's Responses to Plaintiff's Interrogatories (Excerpt)
156					Defendant Buschmann's Responses to Plaintiff's Requests to Admit (Excerpt)
157					Defendant DeValkenaere's Responses to Plaintiff's Interrogatories (Excerpt)

**EXHIBIT AND WITNESS LIST – CONTINUATION**

Chaunte Ott vs. City of Milwaukee, et al.					CASE NO. 09-C-0870
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
158					Defendant DeValkenaere's Responses to Plaintiff's Requests to Admit (Excerpt)
159					Defendant Simons' Responses to Plaintiff's Interrogatories (Excerpt)
160					Defendant Simons' Responses to Plaintiff's Requests to Admit (Excerpt)
161					Defendant Officers' Responses to Plaintiff's Third Set of Interrogatories (Excerpt)
162					Defendant City of Milwaukee's Responses to Plaintiff's Interrogatories (Excerpt)
163					Defendant City of Milwaukee's Responses to Plaintiff's Requests to Admit (Excerpt)
164					Defendant City of Milwaukee's Responses to Plaintiff's Requests for Production (Excerpt)
165					Defendants' Rule 26(a)(1) Initial Disclosures
166					Letter to Defendants' Counsel Date February 24, 2010 Regarding Initial Disclosures
167					Trial Testimony of James DeValkenaere on February 27, 1996
168					Trial Testimony of James DeValkenaere on February 28, 1996
169					Trial Testimony of James DeValkenaere on February 28, 1996
170					Trial Testimony of Latonia Cooper on February 27, 1996
171					Trial Testimony of Richard Gwin on February 28, 1996
172					Trial Testimony of Sam Hadaway on February 27, 1996
173					Trial Testimony of Sam Hadaway
174					Trial Transcript of Jury Verdict on February 29, 1996
175					Trial Transcript of Preliminary Hearing on November 14, 1995
176					Trial Transcript of Sentencing on March 2, 1996
177					Deposition of Arthur Jones (October 19, 2011)
178					Deposition of Carl Buschmann Vol. I (June 30, 2010)
179					Deposition of Carl Buschmann Vol. II (April 12, 2012)
180					Deposition of Chaunte Ott (August 29, 2011)
181					Deposition of Daniel Phillips (Avery v. City of Milwaukee, et al.) (September 17, 2012)
182					Deposition of Denise Ball (October 10, 2011)
183					Deposition of Diana Rowe (May 7, 2011)
184					Deposition of Eric Draeger (October 10, 2011)



**EXHIBIT AND WITNESS LIST – CONTINUATION**

Chaunte Ott vs. City of Milwaukee, et al.					CASE NO. 09-C-0870
PLF. NO.	DEF. NO.	DATE OFFERED	OBJECTIONS/ RULINGS	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
185					Deposition of Eric Moore Vol. I (August 23, 2010)
186					Deposition of Eric Moore Vol. II (May 7, 2012)
187					Deposition of Eric Moore Vol. III (January 29, 2013)
188					Deposition of James DeValkenaere Vol. I (June 22, 2010)
189					Deposition of James DeValkenaere Vol. II (April 12, 2012)
190					Deposition of John Pray (July 13, 2012)
191					Deposition of Katherine Spano (Avery v. City of Milwaukee, et al.) (June 28, 2012)
192					Deposition of Latonia Cooper (May 13, 2011)
193					Deposition of Michael Dubis (June 30, 2010)
194					Deposition of Michael Dubis (June 30, 2010)
195					Deposition of Nanette Hegerty (June 14, 2011)
196					Deposition of Nicole Casper (April 19, 2012)
197					Deposition of Percy Moore (August 23, 2010)
198					Deposition of Ricky Burems Vol. I (August 26, 2010)
199					Deposition of Ricky Burems Vol. II (March 19, 2013)
200					Deposition of Robert Simons (August 26, 2010)
201					Deposition of Sam Hadaway (May 31, 2010)
202					Deposition of Sandra Giles (October 1, 2011)
203					Burems Complaint Dated January 9, 2007
204					Diagram of W. Burleigh and N. 7th Streets
205					Directions from 3116 N. 7th Street to 2940 N. 5th Street, Milwaukee, WI
206					Milwaukee County Medical Examiner's Report Dated August 30, 1995 Regarding Jessica Payne
207					MPD General Order No. 2005-13 Dated November 1, 2005 Regarding Amendment to Standard Operating Procedure 3/560 - Property
208					MPD In-Service Training Documents Session #2, November 10, 2003-January 16, 2004 Regarding Forensic Biology and DNA
209					MPD In-Service Training Documents Session #3, January 20, 2003-March 14, 2003 Regarding DNA
210					MPD Criminal Investigation Bureau Memorandum Dated December 24, 2002 Regarding Change in Buccal Swab Procedures
211					MPD Sensitive Crimes Division Memorandum Dated May 21, 2001 Regarding Processing Arrested Suspects to Obtain DNA



CASE NO.  
09-C-0870